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170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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YOUNG, JANELLE N

ART UNIT	PAPER NUMBER
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2618

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/521,389	<b>Applicant(s)</b> SCHWORM, ERNST	
	<b>Examiner</b> Janelle N. Young	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 16-19,22 and 24-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-19,22 and 24-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, see Appeal Brief, filed June 30, 2008, with respect to the rejection(s) of claims 16, 19, 27, 29-31, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Nuovo (US Patent 2004/0102230) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) and further in view of Leurs et al. (US Patent 2006/0097376).

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described (**first component of the first enclosure base body** and **second component of the first enclosure base body**) in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification only supports "first enclosure base body made of a first base material comprising a first

edge”, “second edge of the second enclosure base body” and “second enclosure base body made of a second base material comprising a second edge”.

3. Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described (**fourth recess**) in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification and drawing only supports three recesses: first - “hard component recess 24”, second - “soft component recess 25”, and third - “the recess between the sealing flange 27 and the outer flange 14”.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite (“**relatively**”) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16, 19, 27, 29-31, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) and further in view of Leurs et al. (US Patent 2006/0097376).

As to claim 16, Nuovo teaches a casing (Fig. 1:2); which reads on claimed enclosure for a housing a device, comprising: (**Note:** Nuovo teaches a personal communication device and casing for such devices; which is interpreted as an enclosure for housing a device whether or not the device is in the enclosure.).

Luers et al. further teaches electronics that can be attached to plastic parts, including housings that provide the shape of the desired products and appliances and a first portion is provided with an elastic insulating material and a second portion is provided with a hard, non-elastic insulating material.

a first enclosure base body and second enclosure base body, together, casing for such devices; which reads on claimed form an enclosure for containing the device (abstract), with: a combination of the front face (Fig. 1:3) and Perspex™ layer (Fig 5, 6a, 9a, 13 14 & 16:37); which reads on claimed first enclosure base body, comprising precious stone or plastic; which reads on claimed ~~first base body component~~ first component of the first enclosure base body formed of relatively hard material and a rear face (Fig. 2 & 6a:21) ~~second base body component~~ second component of the first enclosure base body formed of relatively soft material and formed against the relatively hard material

(Page 6, Para 0089 and Page 7, Para 0095-0099), the first ~~base body~~ component comprising a first edge (Fig. 22a,b,c:**320**) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; Page 4, Para. 0065 & 0071) flange positioned along an outer periphery thereof and configured to extend toward the second enclosure base body (Page 5, Para 0075 & 0078);

a combination of the side frame (Fig. 1:**20**) and housing element/bezel (Fig. 1 & 22a,b,c:**19**); which reads on claimed second enclosure base body, made of a plastic; which reads on claimed second base material, the second enclosure base body comprising a second edge (Fig. 22a,b,c:**192**) along an outer periphery thereof, including a first recess for receiving the first edge flange, wherein the first enclosure base body and the second enclosure base body butt against one another along the first edge flange and the first recess (Page 5, Para 0077-0079; Page 7, Para 0103; and Page 8, Para 0111); and

wherein portions of the ~~second base body component~~ second component of the first enclosure base body are spaced apart from the first edge by a second recess defined along the first edge (Fig. 1:**22** or **23**) (Page 1, Para 0010 & 0017 with respect to Page 5, Para 0076-0077) with the portions of the second ~~base body~~ component providing a sealing first flange configured to make contact (Fig. 6a & 9a:**69**); with the second edge, said edge flange made of plastic; which reads on claimed elastically deformable material (Page 4, Para. 0065-0068 & 0070; Page 5, Para, 0073 & 0075-0077; and Page 7, Para. 0098).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a mobile phone whose RF electronics are to be provided with a separate housing, as taught by Leurs et al., in the mobile communications devices housings development and materials of Nuovo. The plastic materials and other materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can produce an easily assembled and disassembled. Such to provide the clamping means a more easily attachment to the housing of the mobile phone (Para 0025, 0060 of Leurs et al.). Another aspect of the invention resides in an electrically insulating body that comprises a flexible portion. Such a flexible portion may be used for a specific connection to a component, so as to adapt the body to the desired shape or to act as a contacting portion. Such is flexible portion is achievable in that the insulating material is provided in more than one step, in each of which steps desired insulating materials are used, such that a first portion is provided with an elastic insulating material and a second portion is provided with a hard, non-elastic insulating material (Para 0043-0047 of Leurs et al.)

As to claim 19, Nuovo teaches an enclosure, wherein the first enclosure base body and the second enclosure base body butt against one another, flange (Page 1, Para. 0006 and Page 5, Para. 0078); which reads on claimed labyrinth seal, is formed by the combination of the front face (Fig. 1:3) and Perspex<sup>TM</sup> layer (Fig 5, 6a, 9a, 13 14 & 16:37); which reads on claimed multiple flanges each extending from one enclosure base body, the rail (Fig. 1:22 or 23) and sealant (Fig. 6a & 9a:69); which read on claimed seal, and the combination of the side frame (Fig. 1:20) and housing element/bezel (Fig. 1 & 22a,b,c:19); which reads on claimed into a recess in the other enclosure body (Abstract ; Page 1, Para. 0004 & 0011; Page 3, Para. 0058; and Page 5, Para. 0077).

As to claim 27, Nuovo teaches an enclosure, wherein the first base material comprises a Perspex is a trade name in many countries in Europe for polymethyl methacrylate Polymethyl methacrylate (PMMA) or poly(methyl 2-methylpropenoate) is the synthetic polymer of methyl methacrylate; which reads on claimed thermoplastic material (Page 4, paragraph 0065-0070; Page 5, Para 0073-0075; and Page 6, Para 0084 & 0088). **Note:** This thermoplastic and transparent plastic is sold by the trade names Plexiglas, Perspex, Acrylite, Acrylplast, Altuglas, and Lucite and is commonly called acrylic glass or simply acrylic.

As to claim 29, Nuovo teaches an enclosure, configured for accommodating electrical, electronic, or mechanical components (Page 6, Para. 0086).

As to claim 30, Nuovo teaches an enclosure, configured as housing for a mobile telecommunication device (Page 1, Para. 0004 & 0011 and Page 3, Para. 0060).



As to claim 31, Nuovo teaches an enclosure, further comprising:

a rear/back cover (Fig. 2, 6a, 8, 9a, 13, 21, & 22a,b,c:**21**); which reads on claimed third enclosure base body, for accommodating a battery; which reads on claimed exchangeable electrical power source (Page 6, Para. 0089 & 0091 and Page 7, Para. 0095-0097), wherein

the a rear/back cover (Fig. 2, 6a, 8, 9a, 13, 21, & 22a,b,c:**21**); which reads on claimed third enclosure base body, butts either against the combination of the front face (Fig. 1:**3**) and Perspex<sup>TM</sup> layer (Fig 5, 6a, 9a, 13 14 & 16:**37**); which reads on claimed first enclosure base body, or against the combination of the side frame (Fig. 1:**20**) and housing element/bezel (Fig. 1 & 22a,b,c:**19**); which reads on claimed second enclosure base body and is sealed to the respective enclosure base body by an edge flange integrally formed in one base body and configured to extend into a recess formed in the other base body (Page 5, Para. 0077 & 0079; Page 6, Para. 0083, 0089, & 0091; and Page 7, Para. 0095-0097).

6. Claims 17-18 & 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claim 16 above, and further in view of Mischenko (US Patent 4711361).

As for claims 17-18, Nuovo teaches a casing (Fig. 1:**2**); which reads on claimed enclosure for a housing a device, comprising: a first component of the first enclosure base body and second enclosure base body, together, contain the device, with: a combination of the front face (Fig. 1:**3**) and Perspex<sup>TM</sup> layer (Fig 5, 6a, 9a, 13 14 &

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16:**37**); which reads on claimed first enclosure base body, made of a precious stone or plastic; which reads on claimed first base material, the first component of the first enclosure base body comprising a first edge (Fig. 22a,b,c:**320**) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; Page 4, Para. 0065) flange positioned along an outer periphery thereof and configured to extend into the second enclosure base body (Page 5, Para 0075 & 0078); a combination of the side frame (Fig. 1:**20**) and housing element/bezel (Fig. 1 & 22a,b,c:**19**); which reads on claimed second enclosure base body, made of a plastic; which reads on claimed second base material, the second enclosure base body comprising a second edge (Fig. 22a,b,c:**192**) along an outer periphery thereof, including a first recess for receiving the first edge flange, wherein the first component of the first enclosure base body and the second enclosure base body butt against one another along the first edge flange and the first recess (Page 5, Para 0077-0079; Page 7, Para 0103; and Page 8, Para 0111 of Nuovo); and wherein the first edge flange when positioned in the recess provides a rail (Fig. 1:**22** or **23**) and sealant (Fig. 6a & 9a:**69**); which read on claimed seal, that contacts the second edge, said edge flange made of plastic; which reads on claimed elastically deformable material (Page 4, Para. 0065-0068 & 0070; Page 5, Para, 0073 & 0075-0077; and Page 7, Para. 0098 of Nuovo).

What Nuovo does not explicitly teach is edge flange positioned along an outer periphery, two-color or two-component injection molding method for the producing a housing of a mobile communication terminal, and manufacturing of the body of a mobile device.

However, Mischenko teaches an interlocking module housing; which reads on enclosure for a housing device (Col. 1, lines 5-9 and Col. 2, lines 37-39 of Mischenko), wherein one of the first component of the first enclosure base body and the second enclosure base body comprises a second edge flanged positioned along an outer periphery thereof and configured to extend into a second recess formed along the outer enclosure base body (Col. 1, line 56-Col. 2, line 3 in respect to Col. 1, lines 31-36 and Col. 2, lines 41-53 and of Mischenko); and a third edge flange positioned between the first and second edge flanges and configured to extend into a fourth ~~third~~ recess formed along the outer periphery of the other one of the first component of the first enclosure base body ~~component~~ and the second enclosure base body (Col. 3, lines 44-50 in respect to Col. 1, lines 31-36 and Col. 2, lines 41-53 and of Mischenko).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate an enclosure having interlocking sides and more particularly to housing for electronic equipment, as taught by Mischenko, in the mobile communications devices housings development and materials of Nuovo. The plastic materials and other materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because

as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can produce an easily assembled and disassembled. Such housing can be produced to be aesthetically pleasing and can camouflage the gaps (Col. 2, line 66-Col. 3, line 18 of Mischenko).

As to claim 22, Nuovo teaches an enclosure, wherein, when the first enclosure base body and the second enclosure base body butt against one another, the second edge flange is positioned interior to the first edge flange and the second flange is formed of a harder material than the first hard plastic (Page 5, Para 0072-0075 of Nuovo).

7. Claims 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claim 17 above, and further in view of Gahl et al. (US Patent 2004/0082370).

What Nuovo does not explicitly teach is two-color or two-component injection molding method for the producing a housing of a mobile communication terminal.

However Gahl et al. teaches an enclosure, wherein the first enclosure base body is made from a hard plastic and the second edge flange is made form a plastic softer than the hard plastic (Page 1, Para. 0010-0011 of Gahl et al.); wherein the first enclosure base body and the second edge flange are made using the two-color or two-component injection molding method (Page 1, Para. 0013 of Gahl et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a network that employs CDMA access techniques,

as taught by Gahl et al., in the mobile communications devices housings development and materials of Nuovo. The plastic materials and other materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Page 4, Para 0050 of Gahl et al.).

8. Claims 26 & 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claims 16-18 and 24-25 above, and further in view of Montminy et al. (US Patent 2004/0211668).

What Nuovo does not explicitly teach is the first edge flange comprises a material used for mobile terminals housing and casing and Shore hardness.

However Montminy et al. teaches an enclosure, wherein the first edge flange comprises a thermoplastic elastomer, wherein the sealing material having a Shore

hardness between 50 and 60 (Fig. 11c; Abstract; Page 3, Para. 0031; Page 5; Para. 0052; and Page 8, Para. 0070 & 0072 of Montminy et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate the production and material of the mobile communication device's enclosure, as taught by Montminy et al., in the mobile communication device enclosure of Nuovo, because Nuovo already teaches plastic and other materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. In some embodiments, the material has a resistance food and fluid damages. In some embodiments, the elastomeric material can comprise a thermoplastic or thermosetting polymer that is flexible relative to the rigid material during operation or use (Fig. 11c; Abstract; Page 3, Para. 0031; Page 5; Para. 0052; and Page 8, Para. 0070 & 0072 of Montminy et al.).

9. Claims 32 & 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claims 16 and 31 above, and further in view of Gahl et al. (US Patent 2004/0082370).

Nuovo teaches a housing part, comprising of a base body having an outer surface opposing one another with the inner surface including an edge (Fig. 22a,b, c:320 of Nuovo) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; and Page 4, Para. 0065 of Nuovo) perimeter adapted to contact a mating surface; a flange formed along the edge perimeter extending in a direction to rest against the mating surface when contact with the mating surface is made (Page 4, Para. 0065-0068 & 0070 and Page 5, Para. 0073 & 0075-0076 of Nuovo), wherein the flange comprises is an elastically deformable material edge (Page 5, Para 0077 and Page 7, Para. 0098 of Nuovo); (Page 3, Para. 0058 and Page 5, Para 0077-0079 of Nuovo). Nuovo also discusses hard components (Pages 6-7, Para 0092 and Page 8, Para. 0106 of Nuovo) and soft components (Page 1, Para 0003; Page 4, Para. 0065 & 0071; Page 5, Para 0072; and Page 6, Para 0082-0083 of Nuovo). **[Note:** In the case the edges of the front face take the form of a flange that extends around the perimeter of the front face. It is important to keep in mind that the Nuovo described design has brittle material such as sapphire in mind, the resultant arrangement could be formed from any number of other materials including plastics (Page 4, Para 0071 of Nuovo)]. **[Note:** Applicant's specification states "a housing for a mobile telecommunication device, which can be a handset for a cordless telephone or for a mobile radio telephone, has a third enclosure base body which serves to accommodate

an exchangeable electrical power source, in particular a battery or a rechargeable accumulator (Page 6, Para. 0089 & 0091 and Page 7, Para 0095-0097 of Nuovo). In this situation, the third enclosure base body butts either against the first enclosure base body or against the second enclosure base body and is sealed with respect to the corresponding enclosure base body by means of a further elastic seal. The further seal is preferably located either on the third enclosure base body itself or on the enclosure base body butting against the latter, in other words the first or the second enclosure base body (Page 5, Para. 0077 & 0079; Page 6, Para. 0083, 0089, & 0091; and Page 7, Para. 0095-0097 of Nuovo). In this situation the seal can be of the same type as the seal between the second and the first enclosure base body, in particular it can in a two-color injection molding method form an integral part with the third enclosure base body or the first or second enclosure base body associated with the latter.”]

What Nuovo does not explicitly teach is two-color or two-component injection molding method for the producing a housing of a mobile communication terminal.

However, as to claim 32, Gahl et al. teaches a method for producing a housing part for a mobile telecommunication device (Page 1-2, Para. 0013; Page 2, Para 0014 & 0025; and Page 3, Para 0046 of Gahl et al.) [**Note:** First component can be hard or soft. Second component can be hard or soft. They still read on claim hard and soft components], comprising:

injecting a hard component onto a fixed tool (Page 1, Para. 0010 and Page 3, Para. 0035 of Gahl et al.);



shaping the hard component by a first countertool moveable in a mold release direction (Page 1-2, Para. 0013 and Page 2, Para. 0016 of Gahl et al.);

injecting a soft component forming an elastic seal onto the hard component (Page 1, Para. 0010 and Page 1-2, Para. 0013 of Gahl et al.) [**Note:** Applicant's specification states "a housing for a mobile telecommunication device, which can be a handset for a cordless telephone or for a mobile radio telephone, has a third enclosure base body which serves to accommodate an exchangeable electrical power source, in particular a battery or a rechargeable accumulator (Page 6, Para. 0089 & 0091 and Page 7, Para. 0095-0097 of Nuovo is interpreted to read on this). In this situation, the third enclosure base body butts either against the first enclosure base body or against the second enclosure base body and is sealed with respect to the corresponding enclosure base body by means of a further elastic seal. The further seal is preferably located either on the third enclosure base body itself or on the enclosure base body butting against the latter, in other words the first or the second enclosure base body (Page 5, Para. 0077 & 0079; Page 6, Para. 0083, 0089, & 0091; and Page 7, Para. 0095-0097 of Nuovo is interpreted to read on this). In this situation the seal can be of the same type as the seal between the second and the first enclosure base body, in particular it can in a two-color injection molding method form an integral part with the third enclosure base body or the first or second enclosure base body associated with the latter." This corresponds with Gahl et al. method for producing a housing of a mobile communication terminal.]; and

shaping the soft component by a second countertool, which is moved in the same mold release direction as first countertool for releasing the mold, wherein the method utilizes a two-color injection molding process and the housing part is formed by the hard component and the seal (Page 1-2, Para. 0003 & 0013 and Page 2, Para. 0016 of Gahl et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a network that employs CDMA access techniques, as taught by Gahl et al., in the mobile communications devices housings development and materials of Nuovo. The plastic materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Page 4, Para 0050 of Gahl et al.).

As to claim 34, Gahl et al. teaches a method for producing a housing part for a mobile telecommunication device, wherein the soft component is applied to the hard component while the latter is still warm (Page 2, Para. 0014-0020 of Gahl et al.).

10. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claim 32 above, and further in view of Pontoppidan (US Patent 6333716).

Nuovo teaches a housing part, comprising of a base body having an outer surface opposing one another with the inner surface including an edge (Fig. 22a,b, c:320 of Nuovo) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; and Page 4, Para. 0065 of Nuovo) perimeter adapted to contact a mating surface; a flange formed along the edge perimeter extending in a direction to rest against the mating surface when contact with the mating surface is made (Page 4, Para. 0065-0068 & 0070 and Page 5, Para. 0073 & 0075-0076 of Nuovo), wherein the flange comprises is an elastically deformable material edge (Page 5, Para 0077 and Page 7, Para. 0098 of Nuovo); (Page 3, Para. 0058 and Page 5, Para 0077-0079 of Nuovo).

What Nuovo does not explicitly teach is two-color or two-component injection molding method for the producing a housing of a mobile communication terminal.

However, as to claim 33, Pontoppidan teaches a method for producing a housing part for a mobile telecommunication device, wherein a rotary platen mold is used, the rotation allowing simultaneous processing of two housing parts, one having the hard

component applied and one having the soft component applied. (Col. 6, lines 54-65 and Col. 8, lines 9-18 of Pontoppidan).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a manufacturing an antenna body for a phone techniques, as taught by Pontoppidan, in the mobile communications devices housings development and materials of Nuovo. The plastic materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005 & 0014, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Abstract and Col. 2, lines 40-54 of Pontoppidan).

11. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claims 16-18 and 24-25 above, and further in view of Gahl et al. (US Patent 2004/0082370).

Nuovo teaches a housing part, comprising of a base body having an outer surface opposing one another with the inner surface including an edge (Fig. 22a,b, c:320 of Nuovo) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; and Page 4, Para. 0065 of Nuovo) perimeter; a flange formed along and spaced apart from the edge perimeter extending in a direction to rest against the mating surface when contact with the mating surface is made (Page 4, Para. 0065-0068 & 0070 and Page 5, Para. 0073 & 0075-0076 of Nuovo), wherein the flange comprises is an elastically deformable material edge (Page 5, Para 0077 and Page 7, Para. 0098 of Nuovo); (Page 1, Para 0006; Page 3, Para. 0058; and Page 5, Para 0077-0079 of Nuovo). **[Note:** In the case the edges of the front face take the form of a flange that extends around the perimeter of the front face. It is important to keep in mind that the Nuovo described design has brittle material such as sapphire in mind, the resultant arrangement could be formed from any number of other materials including plastics (Page 4, Para 0071 of Nuovo)].

However Gahl et al. teaches a housing part, comprising of a base body is made from a hard plastic and the flange is made from a softer plastic compared to the hard plastic, wherein the base body and the flange form an integral part and are made by using a two-color injection molding process (Page 1, Para. 0010-0011 of Gahl et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a network that employs CDMA access techniques, as taught by Gahl et al., in the mobile communications devices housings development and materials of Nuovo. The plastic materials used are also relatively flexible and

consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Page 4, Para 0050 of Gahl et al.).

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dzung et al.(US Patent 4418830) discloses an invention that relates in general to sealing arrangements and more particularly to an improved enclosure moisture and dust seal assembly especially suited for application in personalized, hand-held radio apparatus, which includes a molded plastic enclosure.

Kuwayama et al. (US Patent 5665485) discloses an invention that relates to a splashproof construction for a portable type electronic device.

Speaks (US Patent 5896453) discloses an invention that is directed to a device for the protection of electronic circuitry, and specifically to the protection of the internal circuitry of a portable or hand-held telephone from water damage.

Phillips (US Patent 6078792) discloses an invention that relates to mobile radio communication devices and, more particularly to water-exposure protection for electronic circuitry housed within a mobile radio communication device.

Tasy et al. (US Pub 2004/0198243) discloses a mobile phone includes a mobile phone body, a face panel, an interlocking unit, and a stop mechanism. The stop mechanism is provided on at least one of the face panel and the mobile phone body and functions so as to arrest movement of the face panel relative to the mobile phone body.

Chien et al. (US Patent 6983130) discloses an invention that relates to a waterproof structure of a handheld electronic device and, more particularly, to a waterproof structure letting a handheld electronic device like a handheld computer, a personal digital assistant (PDA), or a store price scanner have the waterproof effect.

Grems et al. (US Pub 2006/0049030) discloses an invention that relates to an automotive component and a method of manufacturing the component, and in particular to a component formed with two different integrally-formed materials having different material property characteristics.

Leurs et al. (US Pub 2006/0097376) discloses an invention that relates to an electronic product comprising a body provided with a three dimensional shape that is derived from the product and incorporates structurally at least part of the product shape.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 10:00 am through 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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